

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

TIMOTHY BURNS,

Plaintiff,

v.

Case No. 17-11748

OCWEN LOAN SERVICING  
LLC, *et al.*,

HON. TERRENCE G. BERG  
HON. DAVID R. GRAND

Defendants.

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**ORDER DISMISSING CLAIMS AGAINST  
DEFENDANT MICHELLE CLARK AND CLOSING CASE**

On February 14, 2018, this Court issued an order to show cause requiring Plaintiff to explain why his claims against the sole remaining Defendant in this case – Michelle Clark – should not be dismissed for failure to state a valid claim against her (Dkt. 47). The Court's show cause order noted that it may sua sponte dismiss a fee-paid complaint if it is frivolous for failure to state a claim upon which relief may be granted under Rule 12(b)(6), after notice to the plaintiff and an opportunity to amend the complaint. *See Apple v. Glenn*, 183 F.3d 477, 478 (6th Cir. 1999).

Plaintiff filed timely responses to the Court's show cause order (Dkts. 48, 49). As to his claims concerning Defendant Clark, Plaintiff states that "Attorney Michelle Clark has disrespected the courts order signed by the Honorable Walter Shapero (sic)-Bankruptcy Judge, on September 12<sup>th</sup> – 08-04-00, 11:08 AM." Plaintiff's response further states "Attorney Michelle K. Clark (P55841) was 95% involved in conspiracy. My documents filed in this honorable court reveal such action on notary for signing plus notarizing their own documents in Mortgage Company's favor. Documents have been filed to support allegations."

These conclusory allegations do not state a valid claim against Defendant Clark. As such, Plaintiff has not satisfied the Court's show cause order, and Plaintiff's claims against Defendant Clark will be **DISMISSED WITHOUT PREJUDICE**. Since Defendant Clark is the last remaining Defendant in this case, the Clerk is directed to enter judgment in favor of Defendants and against Plaintiff, and close this case.

**SO ORDERED.**

Dated: March 12, 2018

s/Terrence G. Berg  
TERRENCE G. BERG  
UNITED STATES DISTRICT JUDGE

**Certificate of Service**

I hereby certify that this Order was electronically submitted on March 12, 2018, using the CM/ECF system, and was sent through the U.S. Mail to Plaintiff.

s/A. Chubb  
Case Manager